

**RESPONSE UNDER 37 CFR § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3723**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 4361**  
Kenji SAITO et al. : Attorney Docket No. 2005\_0635A  
Serial No. 10/532,586 : Group Art Unit 3723  
Filed June 17, 2005 : Examiner Robert J. Scruggs  
SURFACE-TREATING PROCESS FOR  
VACUUM MEMBER : **Mail Stop: AF**

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated December 10, 2008 of the Primary Examiner finally rejecting claims 1, 3-11 and 17-19.

- (X) A timely response to the final rejection has been filed.
- (X) The extension fee of \$130.00 for a one month extension of time is to be charged to our credit card.
- (X) The Appeal Fee of [X] \$540.00 (other than Small Entity)  
[ ] \$270.00 (Small Entity)
- ( ) is enclosed  
(X) is to be charged to our credit card
- ( ) Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which  
( ) is enclosed.  
( ) has been previously submitted.

() The Appeal Fee is not required since it was paid in a prior appeal.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Kenji SAITO et al.

/Amy E. Schmid/

By 2009.04.10 15:05:09 -04'00'

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April 10, 2009